

**GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT**

Police – Warangal Range – Sanction of Prosecution against Sri M.V.S.Malleswar Rao, SI, Matwada PS, Warangal Dist., A.P., in Cr.No. Rc.No. 4(A)/2008-CBI/Hyd, for the offences committed by him Under Section 120 B read with Sections 420, 468, 471 and 511 of IPC and Section 13 (2) read with Section 13(1) (d) of Prevention of Corruption Act 1988 – Orders – Issued.

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**HOME (LEGAL.II) DEPARTMENT**

**GO.Ms.No. 131**

**Dated: 02 .6.2010**

**Read:**

From the D.G.P., A.P., Hyd, Rc.No. 6501/Compts-2/2009,  
dt: 22.12.2009.

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**ORDER:**

Whereas, Sri M.V.S.Malleswar Rao, worked as Sub-Inspector of Police, Matwada Police Station, Warangal District from 24.9.2004 to 24.9.2006 and as such he is a public servant within the meaning of section 21 of the Indian Penal Code, 1860 (Central Act 45 of 1860) and section 2(c) of Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, it is reported by the Director General of Police, Andhra Pradesh, Hyderabad that a case was registered vide RC No.4(A)/2008-CBI/Hyd on 19-02-2008 Under Section 120-B read with Sections 420, 471 IPC and 13(2) read with Section 13(1) (d) of Prevention of Corruption Act, 1988 on the basis of a written complaint given by Sri S.P. Sinha, Chief Vigilance Officer, The United India Insurance Co., Ltd., 24, Whites Road, Chennai. It is alleged that Dr. P. Surender Reddy, Orthopaedic Surgeon, Ganesh Orthopedic Hospital, Warangal has issued bogus injury certificates to unknown persons in connivance with Sri N. Ram Reddy, Advocate, Warangal and certain Police personnel of different Police Stations in Warangal District. These accused have got registered false accident cases at local police stations in Warangal District by citing vehicle numbers of those vehicles which were not actually involved in any accident but were having valid insurance policies insured with Public Sector Insurance Companies. Sri N. Ram Reddy filed 8 OPs (Original Petitions) claiming an amount of Rs. 40 lakhs compensation with the fabricated documents of an accident registered vide FIR No. 47/06 dated 05-06-06 of Sangem Police and also filed 8 OPs claiming an amount of Rs. 38 lakhs with the fabricated documents of two accident cases registered vide FIR No.07/06 and 132/06 of Matwada Police Station;

3. And whereas, Sri M.V.S.Malleswar Rao, the then S.I. of Police, of Matwada PS took up the investigation of FIR Nos.7/2006 and 132/2006 which were registered by Sri V.Narasimha Rao, HC against the driver of Auto No. AP 13V 7296, in both the cases. In the complaint of FIR No.7/06, it was mentioned that Smt.Ette Surekha along with her sister-in-law G.Lalithamma and her daughter G.Laxmi while travelling in an Auto bearing No.AP13V 7296 driven by Sri G.Saraiah dashed against a motorcycle bearing No.AP36N 4445. The motorcycle driver Sri K.Ramachander and pillion rider K.Ram Reddy also sustained injuries. All the above persons sustained major injuries, and were treated in Ganesh Orthopedic Hospital. The SI of Police Sri MVS Malleswar Rao investigated the case and shown that he visited scene of offence, visited Ganesh Orthopedic Hospital and recorded the statements of the victims, issued requisitions and obtained injury certificates from Ganesh Orthopedic Hospital. He also arrested the accused driver Sri G.Saraiah showing that he was produced by the owner of the accident vehicle Sri Sukuri Upender and filed charge sheet. The court convicted the accused and a fine of Rs.1200/- was imposed and the accused driver paid the fine;

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4 And whereas, in the complaint of FIR No.132/06 of Matwada Police Station it was mentioned that Sri K.Rathnakar and Sri J.Sadaiah while travelling in an Auto bearing No.AP 13V 7296 had dashed against a pedestrian Sri P.Iylaiah. The two passengers in the auto sustained major injuries and were admitted and treated in Ganesh Orthopedic Hospital. The pedestrian Sri P.Iylaiah was also injured in the said accident, admitted in Hari Teja Hospital and underwent treatment. The SI of Police Sri MVS Malleswar Rao investigated the case and shown that he visited the scene of offence, visited Hospitals and recorded the statements of victims, issued requisitions and obtained injury certificates from the respective Hospitals. He also arrested the accused driver Sri G.Saraiah showing that the accused driver was produced by the owner of the accident vehicle Sri Sukuri Upender and filed charge sheet. The Court convicted the accused and a fine of Rs.1000/- was imposed and the accused driver G.Saraiah paid the same;

5. And whereas, during the investigation of CBI in the said two cases, the owners of the Vehicles, the persons met with accidents (victims) and witnesses of the incidents have stated that the said accidents never took place at all nor they were examined by Sri M.V.S.Malleswara Rao, SI of Police, , Matwada PS, Warangal Dist. The investigation revealed that one Sri N. Ram Reddy using the copies of these two FIRs, the injury certificates, the Charge Sheets filed by Sri MVS Malleswar Rao and the documents pertaining to the auto AP 13V 7296, filed total eight OPs, five O.P. Nos. 632, 633, 634, 637, 669 of 2006 in FIR No.7/06 and there bearing.Nos.183, 236 and 237 of 2006 in FIR No.132/06 during 2006 claiming a total compensation of Rs.38 lakhs at MACT, Warangal;

6 And whereas, the investigation conducted by CBI, it is clearly established that Sri M.V.S.Malleswar Rao, the then SI, Matwada PS has generated fabricated scene of crime sketches and drawn the Crime Details Form even though no such accident have taken place. He had never examined any of the injured at Sri Ganesh Orthopaedic Hospital, Hanamkonda and he had not issued the medical requisitions to Sri Ganesh Orthopaedic Hospital, Hanamkonda to furnish the injury certificates. Further he wrongly planted Sri G.Saraiah as the driver of the auto No. AP 13V 7296 in both the cases. Thus, it is conclusively established that Sri M.V.S.Malleswara Rao is instrumental in registering false FIRs vide No. 7/2006 and 132/06. He conspired with Sri N. Ram Reddy and others and fabricated the false documents viz., Complainant's statements, Crime Details Form, statements of all the 8 injured and issuing Medical Requisition to Sri Ganesh Orthopaedic Hospital, Hanamkonda for issuance of injury certificates. He failed to ascertain the ownership details of those vehicles from the RTA, Warangal. He wrongly arrested Sri G.Saraiah as if he was the driver of the auto No. AP 13V 7296 without proper verification showing that he was produced by Sukuri Upender. Thus there is sufficient evidence against Sri M.V.S.Malleswar Rao, then SI, Matwada PS to establish that he is liable for being part of the conspiracy and abuse of his official position;

7 And whereas, the aforesaid acts of Sri M.V.S.Malleswar, Rao Sub-Inspector of Police, Matwada Police Station constitutes offences punishable Under Section 120-B, 420, 468 and 471 read with Section 511 IPC and 13(2) read with Section 13(1)(d) of Prevention of Corruption Act, 1988.

8 And whereas, the Government of Andhra Pradesh being the competent authority to remove Sri M.V.S.Malleswara Rao, S.I of Police from Government Service after fully and carefully examining the material placed before them, in respect of the aforesaid allegations and having regard to the facts and circumstances of the case, consider that the above said Sri M.V.S.Malleswar, Rao Sub-Inspector of Police should be prosecuted in the Court of Law;

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9 Now, therefore in exercise of the powers conferred by Sub-section (1) of section 197 of the Code of Criminal Procedure, 1973 (Central Act 2, 1974) and Clause (b) of Sub-section (1) of section 19 of the Prevention of Corruption Act, 1988, (Central Act -49 of 1988) and the orders issued in G.O.Ms.No. 631, Home (Courts.B) Dept, dt: 30.4.1974, the Government of Andhra Pradesh hereby accord sanction for prosecution of Sri M.V.S.Malleswar Rao, Sub-Inspector of Police, Matwada Police Station, Warangal District, Andhra Pradesh, for the aforesaid offences punishable Under Section 120-B, 420, 468 and 471 read with Section 511 IPC and 13(2) read with Section 13(1)(d) of Prevention of Corruption Act, 1988 and for any other offences punishable under the provisions of any other law for the time being in force in respect of the aforesaid acts or purporting to act in discharge of his official duties and for taking cognizance of offence by the Court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P. GAUTAM KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
The Director General of Police, Andhra Pradesh, Hyderabad,  
**Copy to:**  
The Additional Director, Central Bureau of Investigation,  
GOI, New Delhi.  
The Superintendent of Police, CBI,  
3<sup>rd</sup> floor kendriyasadan Koti, Hyderabad,  
Law (E) Department,  
SF/SC.